

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 5

Application Number	10/691,143
Filing Date	10/21/03
First Named Inventor	Murphy, et al.
Art Unit	3738
Examiner Name	
Attorney Docket Number	702.153

## **U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AK		US- 3,685,058	08/22/72	Tronzo	
		US- 3,859,992	01/14/75	Amstutz	
		US- 3,874,003	04/01/75	Moser, et al.	
		US- 4,305,394	12/15/81	Bertuch, Jr.	
		US- 4,399,813	08/23/83	Barber	
		US- 4,475,549	10/09/84	Oh	
		US- 4,528,980	07/16/85	Kenna	
		US- 4,632,111	12/30/86	Roche	
		US- 4,662,891	05/05/87	Noiles	
		US- 4,667,972	07/07/87	Tomier	
		US- 4,716,894	01/05/88	Lazzeri, et al.	
		US- 4,878,918	11/07/89	Tari, et al.	
		US- 4,994,064	02/19/91	Aboczsky	
		US- 5,030,221	07/09/91	Buechel, et al.	
		US- 5,037,424	08/06/91	Aboczsky	
AK		US- 5,061,270	10/29/01	Aboczsky	
		US- 5,098,437	03/24/92	Kashuba, et al.	
		US- 5,108,448	04/28/92	Gautier	
		US- 5,108,452	04/28/92	Fallin	

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	7 <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
AK		EP 0147339 A2	07/03/85	Brunet		
AK		EP 0357270 A1	03/07/90	Shelley		
AK		EP 0470912 A2	02/12/92	Chambaud		

Examiner Signature	<i>Annette Remier</i>	Date Considered	4/26/05
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Sheet **2**

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Application Number **10/691,143**

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First Named Inventor **Murphy, et al.**

Art Unit **3738**

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Attorney Docket Number **702.153**

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		Number-Kind Code <sup>2</sup> (if known)			
AK		US- 5,116,339	05/26/92	Glock	
		US- 5,167,399	12/08/92	Ryland, et al.	
		US- 5,171,243	12/15/92	Kashuba, et al.	
		US- 5,171,313	12/15/92	Salyer	
		US- 5,190,422	03/02/93	Lechot	
		US- 5,217,499	06/08/93	Shelley	
		US- 5,250,051	10/05/93	Maryan	
		US- 5,261,915	11/16/93	Durlacher, et al.	
		US- 5,284,483	02/08/94	Johnson, et al.	
		US- 5,320,625	06/14/94	Bertin	
		US- 5,344,461	09/06/94	Philpot	
		US- 5,364,403	11/15/94	Petersent, et al.	
		US- 5,417,696	05/23/95	Kashuba	
		US- 5,458,637	10/17/95	Hayes	
		US- 5,474,560	12/12/95	Rohr, Jr.	
		US- 5,486,181	01/23/96	Cohen, et al.	
		US- 5,499,985	03/19/96	Hein, et al.	
		US- 5,507,748	04/16/96	Sheehan, et al.	
		US- 5,658,290	08/19/97	Lechot	

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
AK		GB 2372707 A	09/04/02	McMinn		

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*Constance Reunis*

Date

Considered

**4/26/05**

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		Number-Kind Code <sup>2</sup> (if known)			
AK		US- 5,683,399	11/04/97	Jones	
		US- 5,904,688	05/18/99	Gilbert	
		US- 5,928,287	07/27/99	Keller	
		US- 5,968,049	10/19/99	DaRold	
		US- 6,063,123	05/16/00	Burrows, et al.	
		US- 6,063,124	05/16/00	Amstutz	
		US- 6,106,536	08/22/00	Lechot	
		US- 6,129,732	10/10/00	Lechot	
		US- 6,132,469	10/17/00	Schroeder	
		US- 6,264,647	07/24/01	Lechot	
		US- 6,482,209	11/19/02	Engh, et al.	
		US- 6,626,913	09/30/03	McKinnon, et al.	
		US- Des. 331461	12/01/92	Lester	
		US- 2001/0006593 A1	07/05/01	Lechot	
		US- 2002/0002365 A1	01/03/02	Lechot	
AK		US- 2002/0010470 A1	01/24/02	Lechot	
		US- 2002/0099447 A1	07/25/02	Mears, et al.	
		US- 2002/0116067 A1	08/22/02	Mears, et al.	
		US- 2002/0193797 A1	12/19/02	Johnson, et al.	

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
AK		EP 1149562 A2	10/31/02	Mears, et al.		
AK		EP 1149562 A3	01/02/03	Mears, et al.		

Examiner Signature	<i>Carroll Remers</i>	Date Considered	<i>4/26/05</i>
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		Number-Kind Code <sup>2</sup> (if known)			
AK		US- 2003/0004513 A1	01/02/03	Guzman, et al.	
		US- 2003/0050645 A1	03/13/03	Parker, et al.	
		US- 2003/0097135	05/22/03	Penenberg	
		US- 2003/0158559 A1	08/21/03	Diaz	
		US- 2003/0181916 A1	09/25/03	Wolford	
		US- 2003/0220696 A1	11/27/03	Mears, et al.	
		US- 2003/0229352 A1	12/11/03	Penenberg	
		US- 2003/0229356 A1	12/11/03	Dye	
AK		US- 2003/0229357 A1	12/11/03	Dye	
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		Country Code <sup>4</sup> Number <sup>5</sup> Kind Code <sup>6</sup> (if known)				
AK		WO03/057049 A1	07/13/03	Keller		
AK		WO03/065906 A2	08/14/03	Chana		

Examiner Signature	<i>Annette Remus</i>	Date Considered	4/26/05
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Murphy, et al.

Art Unit

3738

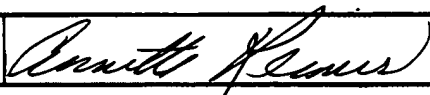
Examiner Name

Attorney Docket Number

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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
AR	1	MURPHY, Minimally Invasive Hip Surgery, From www.stephensmurphy.com (2003)	
	2	Author unknown. Short External Rotator Muscles of the Hip. From www.biye.net/running/injury/short_rotators.html (2002)	
	3	Precimed tool advertisement (2002)	
	4	Minimally Invasive Hip Surgery and Future Developments, From www.essexhipsurgeon.co.uk/minimally_invasive_hip_replacement_surgery.html (2003)	
	5	Innomend MIS catalog (2003)	
	6	McTIGHE, A New Era of Minimally Invasive Surgical Approaches for THA, Joint Implant Surgery & Research Foundation Update (December, 2002)	
	7	BERRY, et al. Symposium on Minimally Invasive THA, J. Bone Joint Surg. 85A: 2235-2246 (2003)	
AKS		PELLEGRINI, et al., Surgical Approaches to the Hip Joint. In: Surgery of the Musculoskeletal System (C. M. Evarts, Ed.), Churchill Livingstone (New York, NY) Chapter 94, pp. 2735-2756 (1990)	

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